

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 239B.4, the Department of Human Services proposes to amend Chapter 41, “Granting Assistance,” and Chapter 93, “PROMISE JOBS Program,” Iowa Administrative Code.

These amendments remove the provision that allows participants to reverse an imposed subsequent limited benefit plan (LBP) once hours of employment or activity participation are verified. With these amendments, consequences for noncompliance with subsequent LBPs will be made uniform.

Any interested person may make written comments on the proposed amendments on or before September 24, 2013. Comments should be directed to Harry Rossander, Bureau of Policy Coordination, Department of Human Services, Hoover State Office Building, 1305 East Walnut Street, Des Moines, Iowa 50319-0114. Comments may be sent by fax to (515)281-4980 or by e-mail to policyanalysis@dhs.state.ia.us.

These amendments do not provide for waivers in specified situations because requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 239B.4.

The following amendments are proposed.

ITEM 1. Amend paragraph **41.24(8)“e”** as follows:

e. Reconsideration of a subsequent limited benefit plan. A person who chooses a subsequent limited benefit plan may reconsider that choice at any time following the required six-month period of ineligibility.

(1) A subsequent limited benefit plan is considered imposed as of the date that a timely and adequate notice is issued to establish the limited benefit plan. Therefore, once timely and adequate notice is issued, the person who chose the limited benefit plan cannot end it by complying with the issue that resulted in its imposition ~~except when the participant has failed to provide verification of hours of employment or participation as described in paragraph “h.”~~.

(2) to (4) No change.

ITEM 2. Rescind paragraph **41.24(8)“h.”**

ITEM 3. Amend subrule 93.13(1) as follows:

93.13(1) Notification of participation issue. When participants appear to be choosing a limited benefit plan by not carrying out the FIA responsibilities, the PROMISE JOBS worker shall send one written reminder or letter as specified in subrule 93.10(1) ~~except when the participant has failed to verify hours of employment or participation as described in 441—paragraph 93.13(2)“m.”~~. The reminder or letter shall:

- a.* Clearly identify the participation issue and the specific action needed to resolve it,
- b.* Clarify expectations,
- c.* Attempt to identify barriers to participation that should be addressed in the FIA,
- d.* Explain the consequences of the limited benefit plan, and
- e.* Offer supervisory intervention.

ITEM 4. Rescind paragraph **93.13(2)“m.”**

ITEM 5. Reletter paragraph **93.13(2)“n”** as **93.13(2)“m.”**